

PLAN COMMISSION
MEETING MINUTES
TOWN OF GRANT
January 3, 2018

PRESENT: Tom Reitter (Acting-chairperson) Sharon Schwab, Ron Becker, Nathan Wolosek, (Committee Members), Kathleen Lee (Secretary), Marty Rutz (Zoning Administrator)

EXCUSED: Jim Wendels

CITIZEN: Dale Winkler

CALL TO ORDER

The meeting was called to order at 6:31 pm by Sharon Schwab.

STATE OF PUBLIC NOTICE

It was stated that the agenda was posted at two posting stations (the Grant Town Hall and the Grant Transfer Station) and on the Town's website.

MINUTES

It was moved by Ron Becker and seconded by Nathan Wolosek to approve the December 19, 2017 minutes. The motion passed with unanimous ayes.

CHAIR – Acting-chair of the meeting was assumed by Tom Reitter

CITIZEN INPUT

Sharon has drafted a follow-up letter to be sent to Michael Hammitt. The letter was reviewed. Tom Reitter found a model lighting ordinance that we could review in the future if we decide to develop an ordinance. The model ordinance is eight pages in length and has a user's guide. It refers to the Illumination Engineering Society of North America Association and the BUG rating system. T. Reitter is willing to work with Mr. Hammitt. The Town can try to negotiate a settlement, but we cannot force someone into an action. Numerous alternatives exist to address the lighting problem. The letter will be sent.

As a follow-up to previous discussion on the Broadband Expansion Grant Program, Tim Karcheski, Town of Plover Chairman, is willing to work with us on a grant application. The Town of Plover will have a presentation from Solarus on Thursday, January 11th at 6:00 pm. A provider must actually complete the grant application. T. Reitter will contact the Tim Karcheski to discuss providing community leadership in the Solarus grant application process. Both T Reitter and N Wolosek plan to attend the January 11 meeting. Grant applications are due by January 25th. Solarus requires sufficient support from residents to proceed with the application. An online petition exists to provide support. K. Lee will place information on the website regarding the online petition and the meeting. The petition is designed to be completed by individuals/businesses and not the Town. T Reitter will contact Solarus. If the Board drafts a letter of support at the 1-10-2018 monthly board meeting, N Wolosek will hand carry the letter to the 1-11-2018 meeting in Plover. N. Wolosek will complete the online petition both as an individual and as a business.

N Wolosek has been received a call from the Town of Carson Planning Chairperson regarding event barns/wedding barns. S. Schwab stated that topic is on the agenda for the next Towns Association meeting scheduled for January 22. Portage County is trying to organize an additional meeting prior to that date which would include input from the local fire department. Event barns have not been an issue in the Town of Grant, but is something the Town should be aware of. Reportedly, these are private parties and money is not charged for the use of the barn. Private parties are not regulated, therefore the event is not regulated under Portage County's special event regulations. The barn availability is advertised on the Internet. The biggest concern is fire.

IMPLEMENTS OF HUSBANDRY

Based on Wisconsin Statute 348, changes to IOH must be adopted on or before November 30th. The Town cannot make changes to the IOH for 2018 at this time. M Rutz is recommending removing the portion of 130th between Kellner Road and County W from the IOH routes. The rationale for the recommendation and an alternative route was provided. Issues related to the 30 ton bridge on County F were briefly discussed. The impact of the bridge is not known.

IOH will be added to the September Plan Commission agenda.

CONDITIONAL USE PERMIT FOLLOW-UP AND MONITORING

S Schwab provided a revised copy of the list of CUPs. A designation of completed, existing, not applicable (deceased or moved), and not certain for each item included in the revised copy. She offered several questions including should the CUPs be reviewed annually for compliance? Should only the ones designated as existing be reviewed? Should the ones designated as completed be voided?

R Becker suggested that completed accessory buildings do not need additional follow-up. He added that ongoing businesses may be the only ones that need follow-up.

The question exists that when a new owner takes over the business, is the new owner aware of the conditions. Should we develop a process during which the new owner needs to agree to the conditions? Businesses that cease to exist after a certain period of time could be voided. That may lead to the need for monitoring, otherwise we would not know if a business ceased to exist.

The Town is making assumptions that conditions are being followed, but we do not know that for certain. N Wolosek suggested only following up on CUPs when a complaint is received. The person making the complaint would not be revealed during the follow up process. We should not create more work for the Town by monitoring all of the CUPs. A follow up could also be triggered by a town official observing some questionable activity.

Any CUP that has an expiration date would require a follow up.

T Reitter stated an effort has been made to categorize the list of CUPs. That categorization could be used to determine which ones require follow-up/monitoring.

R Becker suggested that as the Zoning Ordinance is revised something be added to the CUP section stating a CUP would sunset after a certain period of time if the business ceased to exist.

T Reitter suggested designations of "expires – yes or no" and "transfers – yes or no" be added as a checkbox at the bottom of the CUP.

At this time, we will not check on compliance unless a complaint or if town official observes a problem. Any complaint would remain anonymous and confidential. An initial check may be warranted for all CUPs.

In summary:

- A starting point has been established with the categorization of current list of CUPs.
- Two check boxes will be added to the bottom of the CUP form to indicate if the CUP is transferable or if it expires.
- Avoid placing excessive, particular conditions in a CUP.
- Add something to the Zoning Ordinance regarding a CUP being voided if a business ceases to exist.

ZONING ORDINANCE REVISION

M. Rutz had several concerns he would like addressed.

- On page 3, there was a question about the width of a permitted residence. It is currently listed as 20 feet. It was questioned if double-wide mobile home are allowed. Double-wide mobile homes are acceptable, but not single-wide. It is desirable to have homes which are in the characteristic of the subdivision. The challenge is the wording of the ordinance. There needs to be clear guidance. Tiny homes are a new trend. That style of house could be addressed in the conditional use. It was believed that the Conditional Use #8 (Other similar and compatible uses, which are determined by the Plan Commission to be in accordance with the intent of this District) covers both tiny homes and mobile homes. No changes were made to the wording of residence width.
- On the same page, it was asked if the wording of permitted use #3 (The total maximum square footage of accessory buildings shall not exceed 2000 sq ft) be clearer? It was believed no changes in wording are required.
- Pond size in agriculture areas was discussed. The question was proposed, what does 20,000 square feet represent? Portage County uses the excavated area in measuring size. Much discussion took place. Changes recommended included:
 - When discussing size, the size could be stated as “20,000 square feet or less” so that 20,000 is actually included.
 - The words “of excavated area” will be added to the items discussing ponds in both permitted and conditional use listings.
 - Add the definition, “Pond, excavation, extraction is the area excavated below the existing ground surface which includes the side slopes and the pond itself.”
 - The permitted size will be changed to 25,000 square feet.

It was noted that Appendix B indicates “All ponds & excavating greater than one acre also subject to Portage County Non-Metallic Mining Reclamation Ordinance.” The word “also” should be removed from that statement.

The Portage County Non-Metallic Mining Reclamation Ordinance should be mentioned under the Conditional Uses of A-1 Exclusive Agriculture District and in Section X. It was not clear if wording changes are made to the A1a Farmland Preservation Overlay Zoning District, would DATCP need to be notified. That needs to be clarified.

- In Section IV General Provisions – Subsection D. Front, Side, and Rear Yard Regulations, item 3 was discussed. The wording was originally inserted to create a buffer. The wording will be changed to “To create a buffer, buildings in the agriculture districts used to house

livestock or poultry shall be no closer than 100 feet to any side lot adjacent to a lot in a residential district.”

- It was verified that under Permits item 4, the mention of \$1000 was previously removed.
- M Rutz reported that in conversations with Claude Ringlemon, it was reported that recently approved Act 68 gives the landowner the right to refuse the assessor access to the house. This interferes with making an accurate assessment. C Ringlemon plans to send the Town Board a letter suggesting towns require permits for rec rooms, windows, siding, and roofs. Doing so would allow him to know if work was done. He would also like to see when a permit is issued that it includes a clause giving him permission to access the property. This type of clause was not supported by Commission members.
- Under Permits item 7, removing “weatherproof” prior to “card” was recommended. The building permit application should be available online. K. Lee will add this to the Town’s website. The “card” will still need to be posted in a waterproof covering at the building site. Wording of this section was not finalized.
- Under Permits item 9, sentence 3, the words zoning administrator had been changed to building inspector during a previous meeting.
- Under VI Conditional Use Permits, Procedures #3, change Town Clerk to Zoning Administrator and strike “fee is not refundable a this point.” The statement the “fee is not refundable at this point” will be added to #7. The phrase “and appropriate fees” will be added to #6 following the word “information.” Under #9, the word “permit” is missing. It was noted the “Continuance of Use” is discussed under Special Notes to Applicant. The best way to handle CUPs following the sale of property with a CUP or when a CUP business ceases to operate was discussed, but no wording changes were made. There was general consensus that if a business ceases, the CUP should cease. The method in which the Town is made aware of a change in the business status is not clear.

The meeting was adjourned at 9:20 pm.

Respectfully submitted,

Kathleen D. Lee

Plan Commission Secretary

Approved 01-17-2018